

IN THE DRAWINGS

Please replace Fig. 1 with the amended Fig. 1 provided as a Replacement Sheet in ATTACHMENT I to this Amendment. The attached sheet includes changes to Fig. 1 as required by the Office Action. This sheet replaces the original Fig. 1.

As requested by the previous Office Action, Fig. 1 is amended to:

(i) add a sketch of a garage door 10c having a leaf 10b; (ii) add a door jam 10d, and (iii) add a portion of a building 10e (i.e. building area) which is serviced by the door 10c. Fig. 1 is also amended to: (iv) add a drive tube 10a connected to the driven shaft 10. The door 10c moves vertically relative to the door jamb 10d.

Fig. 1 is also amended to: (v) add a wrench 59 as an example of a specialized tool formerly in claim 1 and now in claim 33.

New Figs. 13a, 13b and 13b have been added as New Sheets in ATTACHMENT I to this Amendment.

Fig. 13a shows a wire seal.

As also requested by the Office Action, Figs. 13b and 13c show the breakable cover, lock and specialized key features recited formerly in claim 1 and now in claim 33.

No new matter has been added.

REMARKS

Reconsideration of all grounds of objection and rejection, and allowance of the pending claims are respectfully requested in light of the above amendments and the following remarks. Claims 1-25 and 29-33, as amended, remain pending, with claims 26-28 canceled without prejudice or disclaimer.

Applicants thank the Examiner for indicating claims 1-4, 7-9, 13-15, 19, 21-23, 25-31 and 33 would be allowable if amended and/or rewritten to overcome rejections under 35 U.S.C. §112, second paragraph set forth in the Office Action.

I. Examiner's Interview

Applicant also thanks the Examiner for the courtesies extended to the undersigned in a personal interview on June 21, 2006. During the interview the specification, claims and drawings were discussed. The Examiner's comments were taken into account in preparing this Amendment.

As opposed to the Amendment After Final filed March 3, 2006, the present Amendment presents the same drawing amendments, discussed during the interview, with the exception that the wrench 59 of Fig. 1 is simplified. The present Amendment keeps the disclosure of safety means in Claim 1 which the Amendment After Final filed March 3, 2006 attempted to move to a dependent claim, with the exception that disclosure of safety means in Claim 1 now has clearer language and specifically mentions a wire seal as discussed below. The Remarks of the present Amendment repeats many of the arguments in the Remarks of the previous Amendment but drops some that seemed unnecessary after the interview and adds some information that was requested at the interview. Thus, for example, ATTACHMENT II of the present Amendment replaces the brochures in ATTACHMENT II of the prior Amendment with descriptions of wire seals.

II. Claim Amendments

Claim 1 is amended to change "inserting a specialized tool into the safety means" to "applying a specialized tool to the safety means" to better reflect use of the wrench with the nut of Fig. 1. It is submitted this does not raise a new issue requiring a search because it is simply a clearer way of reciting what was understood to be covered by the prior claim language and is more consistent with the dependent claims 29-31 reciting the blocking member as various screws.

Claim 1 is also amended to add "breaking a wire seal where the safety means comprises the wire seal" to the safety means that require manual intervention to neutralize the

safety means prior to actuation of the decoupling means without specifying the particular examples of these means. A wire seal is disclosed in the specification at least at page 4, lines 9-24. Fig. 13a discussed at the interview was added to show a wire seal and the specification amended consistent with the added figure. The term "wire seal" is a term of art as shown in ATTACHMENT II. It is respectfully submitted this does not raise a new issue requiring a search.

Amended claim 33 recites features, other than the wire seal, from claim 1.

III. Objections to the Drawings

The final Office action and Advisory Action objected to the previously filed replacement sheet containing an amended Fig. 1. The attached drawings are those discussed during the interview, with the exception that the wrench 59 of Fig. 1 was simplified. Wrench 59, is an example of the particular specialized tool for applying to the safety means. A wrench is disclosed in the specification at page 14, lines 21-26.

Also, Fig. 1 has been replaced with an amended version to comply with the requirement from the previous Office action to show in the drawings the drive tube 10a, door leaf 10b, door 10c, door jam 10d, and building 10e. Applicants have removed discussion from the specification and drawings regarding connection and/or operation of the door relative to the drive means added and rejected in the previous Amendment.

However, the terms drive tube 10a, door leaf 10b, door 10c, door jam 10d, and building 10e are more in the nature of preamble terms or points of reference rather than elements of the claimed invention. For example, Applicants respectfully submit the claimed invention is directed to an emergency release device for an automated door closure (e.g. building closure) assembly. While the door closure assembly can be mounted onto a door jamb, which is a frame normally attached to a wall and to which a door is hingedly attached, Claim 23 does not claim a door jamb. Likewise, Applicants do not claim a building area or an overhead door. Virtually any type of door closure assembly can have the claimed emergency release device.

Figs. 13a, 13b and 13c have been added to show the wire seal 588, cover 589 and glass 590, as well as lock 591 and key 592 as some variations, within the scope of Claim 1, relating to manual intervention to neutralize the safety means as opposed to the wrench 59 and screw 58 of Fig. 1 (labeled in Fig. 2). No new matter has been added, as the wire seal, lock and key, as well as glass cover are disclosed in the specification at least at page 4, lines 9 to 24.

Reconsideration and withdrawal of all grounds of objections to the drawings are respectfully considered.

IV. Objection to the Specification

The heading "Detailed Description of the Preferred Embodiments" has been added.

The specification has been amended to conform to the drawing changes in Fig. 1 and to include a brief discussion of the alternate safety means shown in new Figs. 13a, 13b, 13c.

V. Rejection of Claims 1-33 under 35 U.S.C. §112, second paragraph

Applicants have exercised good faith in addressing all of the grounds of rejection under 35 U.S.C. §112, second paragraph that were cited in the Office Action.

In addition, claim 1 recites "a safety means for preventing at least one of unintentional actuation and unauthorized actuation of the decoupling means." The terms "unintentional" and "unauthorized" come directly from the specification (page 3, lines 4-5). Without the safety means, the decoupling means is more vulnerable to being accidentally activated, for example, by a child who would otherwise merely pull on a lever and cause the door to drop downward toward the ground. In addition, unauthorized actuation of the decoupling means could be made by the child who is not allowed to touch the garage door opener, yet decides to do so. Without the safety means of the claimed invention and the need to neutralize the safety means before activating the emergency release, an unauthorized or unintentional actuation of the decoupling means could cause the door to drop downward while someone or something is in the path of the door, causing damage and/or injury.

In the specification at page 2, lines 3-5, this drop downward is referred to as "guillotine" or "free-fall" and is recognized in the art as a problem with known automated door closure systems that have disconnect systems to bypass, for example, a bound motor that leaves the door stuck in an open position.

Claim 5 has been amended to depend from claim 1. In addition, claims 8 and 22 have been amended to delete duplicative phraseology.

Claims 26-28 have been canceled without prejudice or disclaimer. Applicants respectfully submit that regardless of the cancellation of these claims, any type of an automated door closure assembly that includes the emergency release device as set forth in any of the pending claims is within the spirit of the claimed invention and the scope of the pending claims.

Claim 33 has been amended to depend from claim 1 and recite specific types of safety means requiring manual intervention of claim 1.

Thus, reconsideration and withdrawal of this ground of rejection are respectfully requested.

VI. Rejections of Claims under 35 U.S.C. §102(b)

Claims 5, 6, 10-12, 16-18, 20, 24 and 32 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Slopa (U.S. 4,098,023). Applicants respectfully submit this ground of rejection is now moot because base claim 5 has been amended to depend from claim 1, which was indicated in the Office as reciting allowable subject matter. Claims 6, 10-12, 16-19, 20, 24 and 32 are all allowable at least because of their dependence, directly or indirectly, from claim 5, which is now believed to be allowable.

Reconsideration and withdrawal of all grounds of rejection under 35 U.S.C. 102(b) are respectfully requested.

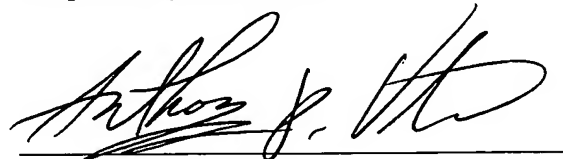
VII. Conclusion

In view of the above, it is respectfully submitted that all objections and rejections in the Office Action of February 24, 2006 and Advisory Action are overcome. Hence, a Notice of Allowance is respectfully requested.

Respectfully submitted,

Date: June 22, 2006

By:


Anthony P. Venturino
Registration No. 31,674

Enclosures:

ATTACHMENT I
ATTACHMENT II

APV/bms

ATTORNEY DOCKET NO. APV31658

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ATTACHMENT I - Replacement Sheet Fig. 1 and New Sheets for Figs. 13a, 13b, 13c



ATTACHMENT II -

"wire seal" descriptions retrieved on June 22, 2006 from the following Internet webpages:

http://www.americancasting.com/products/wire_seals_wire.asp

<http://www.seton.com/seton/catalog/browseSpaceCode.do?spaceCode=DM9>

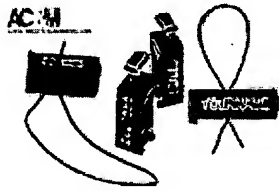
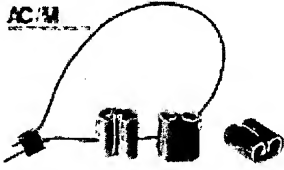

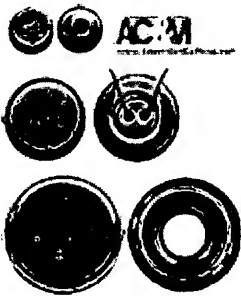
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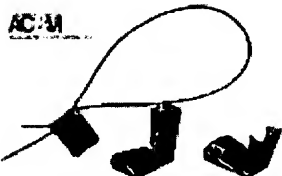

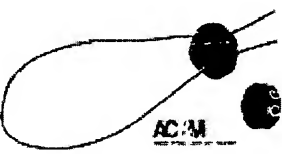
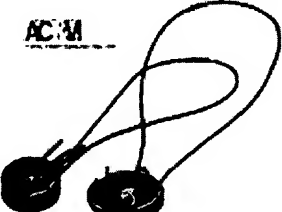
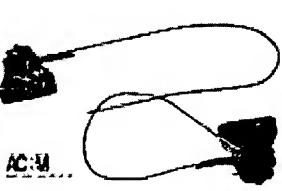


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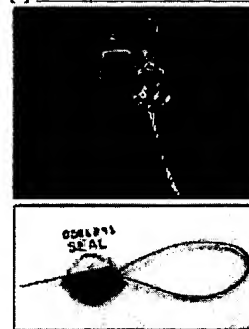
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How to be a Better Seal User - Part Three

From Roger G. Johnston, Ph.D., CPP

Types of Seals

There are at least 5,000 different commercially available seals. Most seals can be categorized as belonging to one of the following 11 categories (although there is some overlap):

wire loop seal: This passive seal consists of one wire twisted around one or more wires. The wire bundle is then passed through the hasp of a container or door to be secured. A metal or plastic head or housing then crimps, traps, or irreversibly captures the ends of the wire bundle. The lead-wire seal is the classic example of this type of seal. A blob of soft lead is used to crimp the ends of the wire bundle. Lead-wire seals, however, have fallen out of favor because of the poor security they offer and because of the health and environmental problems presented by lead. Other, safer soft alloys are sometimes used instead.

metal cable seal: A larger and sturdier version of the wire loop seal. Aircraft cable is used, with each end crimped or irreversibly clamped into a head or housing. Because of its great resistance to force, this is a barrier seal—part lock and part seal.

plastic strap or ribbon seal: A one-piece plastic molded strap with one end that snaps irreversibly into a head or housing on the other end, after the plastic strap is passed through the hasp of a container or door. This type of seal has the advantage that it is less likely to injure personnel or damage equipment coming in contact with sealed moving containers than is the case with metal seals.

metal ribbon (car-box or car-ball) seal: A seal made from sheet metal. One end of the ribbon snaps irreversibly into a head on the other end. Popular for use on railcars. Though robust, this is not a barrier seal.

bolt seal: This is a barrier seal consisting of a strong bolt with each end larger in diameter than the hasp. One half is designed to snap irreversibly into the other half through the hasp. These barrier seals are popular for use on trucks and transportainers. Bolt seals can usually withstand substantial force without opening.

padlock seal: A "self-locking" metal or plastic seal that looks like a padlock. Intended for one-time use. Despite the name, these are seals, not locks. They are often used on residential and commercial utility meters.

adhesive label seal (adhesive tape seal or pressure-sensitive adhesive seal): These seals are sticky labels that become damaged if removed from what they are stuck to. They are often used as tags. These types of seals are inexpensive and easy to use, but do not typically provide high levels of security, nor are they very robust.

frangible seal: This type of seal is often used for tamper-evident packaging, such as found on over-the-counter pharmaceuticals. The seal material, which can be a film, foil, dried paste, or plastic cap, fractures or ruptures when the container is opened.

(passive) fiber optic seal: The cable is an optical fiber or bundle of optical fibers. Cutting the optical fibers changes their light transmission or other properties.

(active) fiber optic seal: In an active fiber optic seal, light pulses are sent down the optical fibers continuously, a number of

times per second. If the optical fibers are cut, the light pulses fail to complete the loop and this is detected by the electrooptics. This type of seal is typically reusable.

(active) electronic seal: This type of (typically reusable) seal is battery powered and checks continuously for tampering.

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